

## REMARKS

This paper responds to the Office Action mailed on April 1, 2009.

Claims 1, 7, 9, 11, 13, and 24 are amended. Claims 1-30 remain pending in this application.

Support for the amendment to the claims can be found in the specification, such as on page 12, lines 27-30.

### Claim Objections

Claim 9 was objected to due to informalities. Specifically, the Office Action indicates that the “channel” recited on line 2 and the “channel” recited on line 5 of claim 9 appear to be the same channel. Applicant amends claim 9 to recite “first channel” and “second channel” for clarity.

### § 102 Rejection of the Claims

**Claims 1-7 were rejected under 35 U.S.C. § 102(e) as being anticipated by Talvitie (U.S. 6,791,491 B2, hereinafter “Talvitie”).**

Applicant respectfully traverses the rejection in view of the following.

#### Claims 1-7

Amended independent claim 1 recites, among other elements, “periodically transmitting the test signal”. The Office Action, on page 10, admits that Talvitie fails to disclose the quoted elements of amended claim 1. Thus, amended claim 1 is not anticipated by Talvitie. Accordingly, Applicant requests reconsideration, withdrawal of the rejection, and allowance of claim 1 and its dependent claims 2-7.

### § 103 Rejection of the Claims

**Claim 8 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Talvitie in view of Sugar et al. (U.S. 2002/0080728 A1, hereinafter “Sugar”).**

Applicant respectfully traverses the rejection in view of the following.

Dependent claim 8 depends from independent claim 1. Sugar does not teach the above-quoted elements of claim 1 that are missing from Talvitie. Thus, for at least the reasons

presented above regarding claim 1, claim 8 is also patentable over Talvitie and Sugar. Accordingly, Applicant requests reconsideration, withdrawal of the rejection, and allowance of claim 8.

**Claims 9, 10 and 12 were also rejected under 35 U.S.C. § 103(a) as being unpatentable over Talvitie in view of Tiller (U.S. 2004/0106381 A1, hereinafter “Tiller”).**

Applicant respectfully traverses the rejection in view of the following.

**Claims 9, 10, and 12**

Amended independent claim 9 recites, among other elements, “the time delay and the amplitude are adjusted independently of each other”. The Office Action, on page 10, admits that that Talvitie fails to disclose resetting (or adjusting) the time delay. However, the Office Action, on page 11, asserts that it would have been obvious to employ Tiller’s teaching of adjusting the time delay in the method of Talvitie. Applicant cannot find in Talvitie and Tiller, whether they are considered singly or in combination, the quoted elements of amended claim 9. Thus, amended claim 9 is not obvious over Talvitie and Tiller. Accordingly, Applicant requests reconsideration, withdrawal of the rejection, and allowance of claim 9 and its dependent claims 10 and 12.

**Claims 13 and 17-21 were also rejected under 35 U.S.C. § 103(a) as being unpatentable over McGeehan et al. (U.S. 6,229,992 B1, hereinafter “McGeehan”) in view of Talvitie.**

Applicant respectfully traverses the rejection in view of the following.

**Claims 13 and 17-21**

Amended independent claim 13 recites, among other elements, a controller to determine the time delay using the test signal, to adjust the time delay, and to adjust an amplitude of the correction signal, wherein “the time delay and the amplitude are adjusted independently of each other”. Applicant cannot find in McGeehan and Talvitie the quoted elements of amended claim 13. The Office Action, on page 14, compares a circuit in FIG. 8 of McGeehan to the controller of claim 13. However, Applicant cannot find in McGeehan that the controller in FIG. 8 of McGeehan can determine the time delay using the test signal, to adjust the time delay, and to adjust an amplitude of the correction signal, in which *the time delay and the amplitude are adjusted independently of each other*. In contrast, amended claim 13 recites “the time delay and

the amplitude are adjusted independently of each other". Thus, amended claim 13 is not obvious over McGeehan and Talvitie. Accordingly, Applicant requests reconsideration, withdrawal of the rejection, and allowance of claim 13 and its dependent claims 17-21.

**Claims 24 and 26-30 were also rejected under 35 U.S.C. § 103(a) as being unpatentable over Talvitie in view of McGeehan et al.**

Applicant respectfully traverses the rejection in view of the following.

**Claims 24 and 26-30**

Amended independent claim 24 recites, among other elements, "the time delay and the amplitude attenuation are adjusted independently of each other", which are analogous to the above-quoted elements of claim 13. Thus, for the at least the same reasons presented above regarding claim 13, Applicant cannot find in Talvitie and McGeehan the quoted elements of amended claim 24. Thus, amended claim 24 is not obvious over Talvitie and McGeehan. Accordingly, Applicant requests reconsideration, withdrawal of the rejection, and allowance of claim 24 and its dependent claims 26-30.

**Claim 11 was also rejected under 35 U.S.C. § 103(a) as being unpatentable over Talvitie in view of Tiller and further in view of Rose, Jr. (U.S. 5,127,101).**

**Claim 14 was also rejected under 35 U.S.C. § 103(a) as being unpatentable over McGeehan et al. in view of Talvitie and further in view of Loo et al. (U.S. 5,757,319).**

**Claims 15 and 16 were also rejected under 35 U.S.C. § 103(a) as being unpatentable over McGeehan et al. in view of Talvitie and further in view of Sengupta et al. (U.S. 6,556,102 B1).**

**Claim 22 was also rejected under 35 U.S.C. § 103(a) as being unpatentable over McGeehan et al. in view of Talvitie and further in view of Stolarczke et al. (U.S. 5,093,929).**

**Claim 23 was also rejected under 35 U.S.C. § 103(a) as being unpatentable over McGeehan et al. in view of Talvitie and further in view of Young (U.S. 6,643,522 B1).**

**Claim 25 was also rejected under 35 U.S.C. § 103(a) as being unpatentable over Talvitie in view of McGeehan et al. and further in view of Sugar et al.**

Applicant respectfully traverses the above rejections in view of the following.

Dependent claims 11, 14, 15, 16, 22, 23, and 25 depend from their respective independent claims 9, 13, and 24. The above documents do not teach the quoted elements of claims 9, 13,

and 24 that are missing from Talvitie, Tiller, and McGeehan. Thus, for the at least the same reasons presented above regarding claims 9, 13, and 24, claims 11, 14, 15, 16, 22, 23, and 25 are also not obvious over Talvitie, Tiller, McGeehan and other documents listed above.

Accordingly, Applicant requests reconsideration, withdrawal of the rejection, and allowance of claims 11, 14, 15, 16, 22, 23, and 25.

### CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative at (612) 373-6969 to facilitate prosecution of this application.

If necessary, please charge any additional fees or deficiencies, or credit any overpayments to Deposit Account No. 19-0743.

Respectfully submitted,

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**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 2013 day of August, 2009.

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